



HAL TARXIEN LOCAL COUNCIL

73, ST. MARY STREET

TARXIEN. TXN 1704

Tel 00356 21666688 - Fax 00356 21666777 - email :- tarxien.lc@gov.mt

16th June 2016

Reply to Managment Letter by Hal Tarxien Local Council which was approved at the Council's Meeting held on Monday 6th June 2016 @ 17:30pm.

2.1 – 2.2 Income receipts

The Council takes note of your observation and states that the *Income Receipts* mentioned refer to the period January to March 2015 when the Executive Secretary, due to family reasons, was much out of office. The Executive Secretary already explained the circumstance to the Auditors as per email dated 18th March 2016 11:02am, copy herewith attached (Doc A) for ease of reference. In this email the Executive Secretary explained that "The receipts of Festa Helu were taken care of by the ex-Mayor (Mr. Joseph Abela). He directly contacted the kiosk owners and collected money from them. Initially he did not want to issue the permits for the kiosks and wanted to allow the kiosks to be placed for the festa without giving out permits. The Executive Secretary insisted to issue the permits and thus the permits were issued before the start of the Festa (22nd November 2014) but money was collected directly by the ex-Mayor Mr Joseph Abela only subsequently and therefore had to be deposited to bank in April 2015 when all money was in hand.

With respect to remaining receipts from permits, the money is always received on the date of the issue of the receipt.

Regarding the receipts received in January, February and March 2015, these were deposited on 13th April 2015- instead of being deposited twice weekly. The Executive Secretary was not aware that these were not being deposited twice weekly and was just recently made aware of this situation. The employees responsible for depositing the receipts to bank were Isabella Formosa and Denise Vella (Denise is no longer employed with Tarxien Local Council)."

Meanwhile the Council notes your observations and in the spirit of tighter controls, the Executive Secretary immediately took the necessary actions to rectify the situation and deposits are being done twice weekly.

2.3 – 2.4 Classification of income

The Council takes note of your observation and has already adjusted its financial statements accordingly.

MAYOR - PAUL FARRUGIA • DEPUTY MAYOR - KEITH DARMANIN

COUNCILLORS - FRANS AGIUS, LAWRENCE BONAVIA, ISMAEL DALLI, DORIS VELLA(MRS), LUKE GENUIS

EXECUTIVE SECRETARY - ANTONELLA GALEA(MS)

2.5 – 2.6 - 2.7 Income from LES administration fees

The Council takes note of your observation and has already adjusted its financial statements accordingly.

2.8 – 2.9 LES administration fees invoicing

The Council has noted your recommendations and will be addressing these issues accordingly.

3.0 – 3.1 – 3.2 Upkeep of fixed assets register

The Council already maintains a fixed assets register with the details mentioned in the management letter. Furthermore, a copy of such detailed report was also provided during the audit. Resultantly, the Council fails to understand the reason for such a comment.

3.3 – 3.4 Upkeep of fixed assets register

The Council takes notes of your findings, and will seek to rectify the matter in the shortest time possible.

3.5 – 3.6 Tagging of fixed assets

The Council has noted your observation and will endeavour to implement the suggested Labelling.

3.7 – 3.8 Fixed Assets register

The Council takes note of your recommendation and will seek to rectify the reporting issue with the software vendor.

3.9 - 3.10 Reconciliation of nominal accounts to financial statements

The Council takes note of your comments and will seek to rectify the matter in the shortest time possible.

3.11 – 3.12 Disposal of fixed assets

Obsolete fixed assets were approved to be written off during Council Meeting 44/07 dated 27 January 2016. Meanwhile the Council notes your comment and will endeavor to comply accordingly prior to updating general ledger.

4.1 - 4.2 - 4.3 - 4.4 Debit balance in creditors' list

The Council takes note of your observation and has already adjusted its financial statements accordingly.

4.5 - 4.6 - 4.7 Long outstanding trade creditor

The Council notes your comment and is already tackling this issue with both Suppliers.

4.8 - 4.9 Trade creditors' statements

The Council notes your comment and specifies that it always does and will continue to do its best to obtain statements from its suppliers.

4.10 Reclassification of current and non-current portion of deferred income

The Council reflected the reclassification between the current and non-current portion of the deferred income in the extended trial balance provided during the audit fieldwork. Furthermore, the financial statements correctly displayed the respective reclassification. As a result, the Council fails to understand the reason for such a comment.

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The Council takes note of your observation and as stated in the Management Letter, the Council is in dispute with this Supplier and is doing all that is possible to settle this matter sooner rather than later.

5 Other creditors

5.1 The Council has discussed this issue and takes note of your observation and states that

- a) The Audit adjustment of €2446 which is recurring from 2010, this amount relates to a balance which is still pending on an embellishment project. No proper documentation to what this value relates to was found after an Ex Executive Secretary retired from office. Meanwhile the present Administration is doing and will continue to do its best to settle this issue and retrieve all necessary documentation.
- b) The balance of €2200 from the Youth Programmes which was never claimed, the Council states that all proper documentation was forwarded in 2008 to the responsible Entity in charge of these Youth Programmes and that whenever claimed this money can and will be immediately settled as it is deposited in a separate bank account different from the bank accounts of the Local Council.
- c) The amount of €3508 due since 2011 does not refer to one cheque which was not cashed by a Councillor, but it relates to 5 cheques which Councillor Lawrence Bonavia has duly received between 2011 & 2013 for his allowance but has never cashed and 1 cheque duly received in 2013 by Councillor Mrs Doris Vella and also not cashed. The Council has discussed this issue during monthly meeting and agreed to transfer amounts accordingly. Infact transfers have already been settled with both Councillors.

5.2 The amount of €1128 due to an employee and which employee Denise Vella had erroneously deposited back into Local Council's account, was not yet settled upto Audit, because issue only arose whilst preparing financial statements. The Council states that this issue has also been discussed during Council meeting and that transfer has already been settled and matter therefore closed.

6 Payroll Councillors' allowances

6.1 – 6.2 The Council takes note of your comments and will seek to rectify the matter in the shortest time possible.

7 Expenditure Procurement Procedures

7.1 – 7.4 The Council takes note of your comments and will seek to abide accordingly.

Asset insurance

7.5 – 7.8 The Council discussed your comments and will contact its Insurance provider to adjust accordingly.

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8 Bank

Bank statements

- 8.1 – 8.2 The Council discussed your comments but fails to understand the risk mentioned by the auditors regarding discrepancies between the bank statements downloaded from the bank's official website to the printed format sent by the bank via traditional mail. The Council has been using the bank's internet banking facility for a number of years and never encountered any cut off issues relating to timing differences. Furthermore, the Council provided the auditors with the official documents downloaded from the bank's official internet banking site and not some other form of manipulated document. Furthermore, the Council was not made aware of any discrepancies in the reconciled bank balances.
- 8.3 The Council takes note of your comments and states that it did instruct the bank in due time not to withhold tax since Councils are exempt.

Bank Account Representatives

- 8.4 – 8.5 The Council takes note of your comments and remarks that it did instruct the bank upon resignation of Mayor Joseph Abela that new Mayor took office. Both the new Mayor Mr Paul Farrugia and the Executive Secretary Antonella Galea had attended at the bank to officiate new signatories. Meanwhile the Council will still demand that bank updates signatories.

Stale Cheques

- 8.6 – 8.7 The Council takes note of your comments and remarks that the cheque mentioned was still valid as at year end and at the time the financial statements were prepared. As a result, the cheque holder could have cashed the cheque during this period. The Council did not fall short of its duties as commented, but actually acted prudently by not reversing a valid cheque. Meanwhile the Council upon cheque becoming stale, has various times tried to contact supplier to inform him about such instance but until now to no avail.

9 Trade and other receivables

Overdue trade receivables

- 9.1 – 9.3 The Council takes note of your comments and remarks that with regards to the WSC, the Council is doing what it can to retrieve the amounts due. The Local Council Association has already been contacted. Even this Council's legal advisor has sent a letter to WSC in this respect. Unfortunately upto now to no avail.
- 9.4 – 9.5 **Cassar Ship Repair**
The Council takes note of your comments and will ensure that all dues are paid in line with the joint venture agreement from Cassar Ship Repair.
- 9.6 – 9.7 **Pre- Regional Receivables**
The Council takes note of your comments and will seek to rectify the matter in the shortest time possible.

10 Stock

Stock list

- 10.1 – 10.2 The Council takes note of your comments and does not agree with the stock valuation mentioned in the management letter, since it is not based on the cost of purchase of the books but rather the potential selling of the books.

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Net realisable value of inventory

10.3 – 10.4 The Council takes note of your comments and will seek to rectify the matter in the shortest time possible.

11 Financial statements

Presentation of financial statements

11.1 The Council takes note of your observation and has already adjusted its financial statements accordingly.

12 5-a-Side Football Ground

12.1 – 12.4 The Council takes note of your comments and will seek to rectify the matter in the shortest time possible.

13 Electronic site

13.1 – 13.4 The Council takes note of your comments and will seek to rectify the matter in the shortest time possible.

14 Schedules of payments

14.1– 14.3 The Council takes note of your comments and will seek to abide accordingly.

15 General

15.1 – 15.4 The Council takes note of your comments and states that :

- i) The present Executive Secretary as at year end 2014 was in office only for two months and was doing and is still doing all that is possible to rectify the shortcomings especially under the previous Mayorship of Mr Joseph Abela. Examples of which are Issuance of new tenders to replace long expired ones, issuance of extension letter to suppliers, considerable reductions in various expences such as stationery, water and electricity bills, transport, Community & hospitality, and office services amongst others. Raising Purchase Orders, Quotations and receipts. Details about all of the above have been duly noted by the Auditors during their audit visit and explanations have been given.
- ii) It is not correct to conclude that this current Administration of the Hal Tarxien Local Council has been waiting for the auditors to point out the irregularities done by the previous Mayorship with regards to the salary overpayment to Mrs Isabella Formosa. This overpayment was immediately reported by the Exec. Secretary herunder signed as soon as the new Mayor also herunder signed took office. Attached are copies of all related correspondence including :-
 - letter to employee Mrs Isabella Formosa, (Doc B)
 - a second letter from the Council's Legal Advisor, (Doc C)
 - letter to Minister Owen Bonnici reporting the case, (Doc D)
 - and also copy of Bord ta' Gvernanza decision. (Doc E)

The only question which still remains unanswered from the reply of the Bord ta' Gvernanza is why the Ex Mayor Joseph Abela was never asked to appear infront of them and give his version of facts? This even though Mrs Isabella Formosa has confirmed infront of the current administration that it was the previous Mayorship who during a private meeting the same Mr Abela had told her that she could keep the salary overpayment until and if the Auditor's would ever notice such an overpayment ! Actually, which overpayment was never noticed by any Auditors until now and this because it was this current Administration that reported such matter!

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When Mrs Isabella Formosa was asked why the Ex Mayorship an Ex Administration had suggested such a thing so as to not repay the overpayment, she replied that it was to be considered as a compensation for the extra work she was doing. Which work finally resulted in work not related to her employment duties with this Local Council but rather work related to Mr Abela personally.

Since the Ex Executive Secretary didn't take action to resolve matter neither in 2013 nor in 2014 before his resignation, it was than this present Executive Secretary hereunder signed that upon resignation of Mr Joseph Abela and appointment of new Mayor Mr Paul Farrugia that this matter was reported to the Council during its monthly meeting and also to the Minister responsible.

Conclusion

This Council thanks the Auditors for their comments and suggestions for a better and smoother financial management and control procedure of the Local Council.

Yours faithfully,



Chev. Paul Farrugia
Mayor



Ms Antonella Galea
Executive Secretary

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EXECUTIVE SECRETARY - ANTONELLA GALEA(MS)

From: Jelena Vencelovski <jelena.vencelovski@mt.gt.com>
Sent: Il-Gimgha, 18 ta' Marzu 2016 11:02
To: Galea Antonella at DLG
Subject: FW: Tarxien Permit Receipts

From: Jelena Vencelovski
Sent: 17 March 2016 15:01
To: Margaret Bonello-Cole <Margaret.Bonello-Cole@mt.gt.com>
Subject: RE: Tarxien Permit Receipts

Hi Margaret,

I have obtained the following explanation from the Executive Secretary (Antonella):

The receipts of Festa Helu were taken care of by the ex-Mayor (Mr. Joseph Abela). He directly contacted the kiosk owners and collected money from them. Initially he did not want to issue the permits for the kiosks and wanted to allow the kiosks to be placed for the festa without giving out permits. The Executive Secretary insisted to issue the permits and thus the permits were issued before the start of the Festa (22nd November 2014) but money was collected directly by the ex-Mayor subsequently and deposited to bank in April 2015.

With respect to remaining receipts from permits, the money is always received on the date of the issue of the receipt.

Regarding the receipts received in January, February and March 2015, these were deposited on 13th April 2015- instead of being deposited twice weekly. The Executive Secretary was not aware that these were not being deposited twice weekly and was just recently made aware of this situation. The employees responsible for depositing the receipts to bank were Isabella Formosa and Denise Vella (Denise is no longer employed with Tarxien Local Council).

Kind Regards,
Jelena

From: Margaret Bonello-Cole
Sent: 17 March 2016 14:24
To: Jelena Vencelovski <jelena.vencelovski@mt.gt.com>
Subject: RE: Tarxien Permit Receipts

Then the permits must be paid for as issued. Ask the ES why the money is not collected then. Write down in front of her what she says. This is what I will tell the NAO so make sure she knows that it will be repeated.

M

Margaret Bonello-Cole | Director | Audit and assurance
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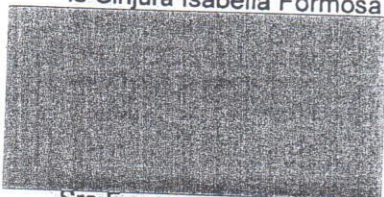


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29 t'Ottubru 2015

Is-Sinjura Isabella Formosa



Sra Formosa,

Inkarigata sabiex gentilment ninfurmak li waqt il-laqqgħa tal-bieraħ 28 t'Ottubru 2015 ta' dan il-Kunsill Lokali, il-Kunsillieri kollha preżenti gew infurmati bil-każ fejn għal perjodu taż-żmien inti kont qed tigi mħallsa b'rata għola milli kellek indikat fil-kuntratt.

Għaldaqstant b'mod unanimu l-Kunsill kollu qabel li inti sa mhux aktar tard mill-17:00pm ta' nhar it-Tnejn 2 ta' Novembru 2015 għandek bil-miktub tiddikjara li taċċetta li dan il-bilanċ ta' €1,180.84 jitnaqqaslek mill-paga u li għandu jithallas sa mhux f'aktar minn żmien sitt xhur.

F'każ li dan l-Uffiċċju jibqa' ma jirċievi xejn bil-miktub mingħandek sal-hin u data indikata, qed jirriserva d-dritt li jieħu passi ulterjuri hekk kif titlob il-liġi.

Mehmūz qed ngħaddilek kopja tal-iStatement għall-użu ta' referenza.

Tant biex tagħraf tirregola l-pożizzjoni tiegħek

Grazzi


Sna. Antonella Galea
Segretarju Eżekuttiv

Coloured COPY
of ORIGINAL
HAND ED ON 29/10/2015

MAYOR - PAUL FARRUGIA • DEPUTY MAYOR - KEITH DARMANIN,
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Payroll schedule by employees for the period: 01 - 31 JAN 2013 to 01 - 30 JUN 2013 - ISABELLA FORMOSA

	Weeks	Hrs	Total Hours
Summer Time	15	15	225
Winter Time	37	28	1036
	52		1261

In summer, Overtime is calculated in excess of 15 hrs per week
In winter, Overtime is calculated in excess of 28 hrs per week
24.25 per week on average

(up to July) Scale 15 March 1 Gross Hourly 5.83
ProRated for 24.25 hours per week (to get the basic wage) 141.26
ProRated for 24.25 hours per month (to get the basic wage) 612.11 (up to June)

	BASIC PAY	BASIC PAY	HOURS	FLAT RT	FLAT RT	FLAT RT	ALLOWING	ADJUST	HOURS	HOURS	BONUS	RATE 1	RATE 2	RATE 3	RATE 3	CAR ALLOW
ADMINISTI	401 ISABELLA FORMOSA	R	23	81.07	0	0	0	0	0	0	256.23	0	0	0	0	0
ADMINISTI	401 ISABELLA FORMOSA	R	20	776.3	0	0	0	0	0	0	0	0	3	30.08	0	0
ADMINISTI	401 ISABELLA FORMOSA	R	21	776.3	0	0	0	-36.05	0	0	0	36	13	124.76	0	0
ADMINISTI	401 ISABELLA FORMOSA	R	22	776.3	0	0	0	0	0	0	94.57	48	5	47.99	0	0
ADMINISTI	401 ISABELLA FORMOSA	R	23	776.3	0	0	0	0	0	0	0	39	10	95.97	0	0
ADMINISTI	401 ISABELLA FORMOSA	R	20	776.3	0	0	0	0	0	0	0	60	20	191.94	0	0
											123.54	40	28	268.72	0	0
												223	79	759.46		
												223	79	690.26		
												127.785	0			

BASIC WAGE

Part Time
Actual Pay from Jan to June 13
Pay as per Contract (Jan to June 13)
Difference on Basic wage to be refunded

4,656.52
3,672.66
983.86

OVERTIME 1 IS TO 1

Part Time
Actual Pay from Jan to June 13
Pay as per Contract (Jan to June 13)
Difference on Basic wage to be refunded

1,426.76
1,298.98
127.79

OVERTIME 1 IS TO 1.5

Part Time
Actual Pay from Jan to June 13
Pay as per collective agreement (Jan to June 13)
Difference on Basic wage to be refunded

759.46
690.26
69.20

TOTALS TO BE REFUNDED

983.86

127.79

69.20

1,180.84



Illum 5 ta' Novembru, 2015

Avv. Edward Gatt LL.D.
75, Triq San Rokku,
Birkirkara

Minghajr pregudizzju,

Ghaziz Kollega,

Inkarigat niktiblek ghan-nom tal-Kunsill Lokali Tarxien u dan b'risposta tal-ittra gentilment mibghuta minnek datata 29 ta' Ottubru, 2015.

Illi fir-rigward tal-ammont li l-klijenta tieghek thallset b'mod abbuziv u zejjed mill-amministrazzjoni precedenti, m'hemm ebda dubju, li dawn ghandhom jigu ritornati. Dan minhabba l-fatt li l-amministrazzjoni prezenti saret taf b'dan l-abbuz ftit tal-jiem ilu. Peres li s-Sindku prezenti b'mod responsabbli irid li din il-kwistjoni tkun sorvolata, m'ghandux triq ohra ghajr li jikxef u jinvestiga dan l-abbuz. Dan nonostante l-fatt li s-Sindku huwa ben konsapevoli li l-klijenta tieghek meta gew mghotija flus zejda mill-amministrazzjoni precedenti, hi hadithom in buona fede. Kienet l-amministrazzjoni precedenti li naqset milli tiehu azzjoni fil-konfront tal-klijenta tieghek.

Illi fir-rigward it-tieni punt imressaq minnek, il-klijenta tieghek dejjem thallset ta' xoghlha u kemm il-darba hi hadmet sieghat zejda, dan thallset taghhom minnufih. Ghaldaqstant il-pretenzjonijiet imressqa f'dan ir-rigward qed jigu respinti bhala nfondati fil-fatt u fid-dritt.

Inselli ghalik,

Avv. Mario Mifsud



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Tel 00356 21666688 - Fax 00356 21666777 - email :- tarxien.lc@gov.mt

18 ta' Dicembru, 2015

Onor.Ministru Dr. Owen Bonnici
Ministeru ghall-Gustizzja, Kultura u Gvern Lokali
30, Triq it-Tezorerija,
Valletta

Ghaziz Ministru,

Is-sottoffirmati Paul Farrugia u Antonella Galea, fil-kapacita' taghhom ta' Sindku u ta' Segretarju Ezekuttiv tal-Kunsill Lokali Hal Tarxien u in rapprezentanza tal-istess Kunsill Lokali, gew inkarigati sabiex gentilment jiktbu lis-sinjorija tieghek u dan in konnessjoni ma' rregolarita' li twettqet mill-amministrazzjoni precedenti.

Illi l-Kunsill Lokali Tarxien, kien u ghadu jimpjega lil certu Isabella Formosa detentrici ta' karta ta' l-identita' 755356M u residenti 144, Moon Shadow, Triq il-Merhba, Fgura, liema persuna rrizulta li bejn l-1 ta' Jannar tas-sena 2013 u t-30 ta' Gunju tal-istess sena, inghatat paga zejda li tammonta ghal €1,180.84.

Illi fl-ahhar tas-sena 2013, hekk kif kien qieghed isir il-financial year end minn-naha tal-accountant tal-Kunsill, giet innutata din id-diskrepanza u minnu fih gie nfurmat b'dan ta' dak iz-zmien is-Sindku Joseph Abela u s-Segretarju tal-Kunsill Paul J. Pace. Madankollu, nonostante din id-diskrepanza ghad-detriment tal-Kunsill, is-Sindku u s-Segretarju ddecidew li ma jittiehdux passi sabiex tigi rregolarizzata din il-problema u konsegwentement dan l-ammont baqa' ma giex rizarcit.

Illi hekk kif din is-sena, taht amministrazzjoni gdida, l-istess accountant tal-Kunsill, Mr. Ramon Cutajar f'isem Mazars Ltd. Kien qieghed jipprepara l-istess financial year end, irrizultalu li din id-diskrepanza ghada ma gietx irregolarizzata u dan minhabba n-nuqqas ta' azzjoni tal-amministrazzjoni precedenti.

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Illi hekk kif l-amministrazzjoni attwali giet a konoxxjenza ta' dawn il-fatti, minnu fih kellmet lil Isabella Formosa u dan sabiex tkun f'pozizzjoni li tevalwa s-sitwazzjoni bl-ahjar mod possibbli. Fil-fatt, hekk kif Isabella Formosa giet rinfacciata b'dawn l-allegazzjonijiet, di spontanea volonta' ammettiet mas-Sindku u s-Segretarju Ezekuttiv sottoffirmati li hi kellha arrangjament mas-Sindku precedenti, is-Sur Abela, li sakemm l-Awdituri ma jindunawx b'tali diskrepanza, kien ser jibqa' ghaddej kollox qisu qatt ma kien xejn.

Illi konsegwentement, gentilment naghmlu referenza ghar-Regolament numru 5 tal-Legislazzjoni Sussidjarja 363.01, ir-Regolamenti Dwar Kunsilli Lokali(Finanze), li al chiarezza tal-ligi jisthoq li fil-kaz li jidher li hemm jew li jista' jkun hemm xi irregolarita', abbuz ta' kontroll, dghjufija, frodi jew approprjazzjoni indebita fl-affarijiet finanzjarji tal-Kunsill is-Sindku jew is-Segretarju Ezekuttiv ghandu jibda zmien erbgha u ghoxrin siegha u javza bil-miktub immedjatament.

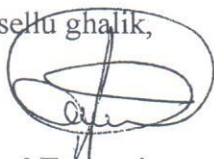
Illi nonostante li l-legislazzjoni riferita ma thalli ebda parametri ta' interpretazzjoni, l-amministrazzjoni precedenti ghazlet li tinjora kompletament l-obbligi taghha naxxenti mill-ligi u semplicement injorat l-akkadut.

Illi l-amministrazzjoni attwali thoss li dan huwa abbuz kbir u lampanti li jaghmel hsara u jnaqqas il-gieh tal-Kunsill Lokali Tarxien.

Ghaldaqstant, ai termini tal-proviso li hemm fl-istess Regolament, li jisthoq li "fil-kaz li jidher li hemm jew li jista' jkun hemm xi irregolarita', abbuz ta' kontroll, djufija, frodi jew approprjazzjoni indebita fl-affarijiet finanzjarji tal-Kunsill mis-Sindku u s-Segretarju Ezekuttiv, il- Vici Sindku jew xi membru iehor tal-Kunsill ghandu javza bil-miktub lill-Ministru immedjatament", is-sottoffirmati fil-kariga taghhom u in rapprezentanza tal-Kunsill Lokali Hal Tarxien, gentilment jixtiequ jgibu l-fatti u espoti a forma li konjizzjoni tas-sinjorija tieghek u dan sabiex ai termini tal-istess Legislazzjoni Sussidjarja, issir inkjesta mill-Awditur Generali jew minn bord mahtur taht l-Att dwar l-Inkjesti, jew issir investigazzjoni b'kull mezz iehor li s-sinjorija tieghek jidrilha li jkun xieraq u opportun.

Nirringrazzjawk tal-hidma kontinwa u prezzjuza tieghek,

Insellu ghalik,



Paul Farrugia
Sindku



Antonella Galea
Segretarju Ezekuttiv

MAYOR - PAUL FARRUGIA • DEPUTY MAYOR - KEITH DARMANIN

COUNCILLORS - FRANS AGIUS, LAWRENCE BONA VIA, ISMAEL DALLI, DORIS VELLA(MRS), LUKE GENUIS

EXECUTIVE SECRETARY - ANTONELLA GALEA(MS)



9 ta' Frar 2016

Kaž Numru 19/2015

Kunsill Lokali Ħal Tarxien

Il-Bord ta' Gvernanza Lokali rċieva talba għall-investigazzjoni mingħand l-Onorevoli Owen Bonnici, Ministru għall-Ġustizzja, Kultura u Gvern Lokali, fuq ittra li l-Ministru kien irċieva mingħand is-Sindku u s-Segretarju Eżekuttiv tal-Kunsill Lokali ta' Ħal Tarxien.

F'din l-ittra, is-Sindku u s-Segretarju Eżekuttiv allegaw li bejn Jannar u t-30 ta' Ġunju 2013, is-Sinjura Isabel Formosa, impjegata tal-istess Kunsill Lokali, ingħatat Euro 1,180.84 f'paga żejda u li meta din id-diskrepanza kienet innutata mill-*accountant* tal-Kunsill u l-impjegata kienet mitluba li tirregolarizza l-pożizzjoni tagħha, is-Sinjura Formosa qalet li kellha arrangament mas-Sindku u mas-Segretarju Eżekuttiv preċedenti li sakemm ħadd ma jinduna b'din id-diskrepanza kollox kellu jibqa' għaddej qisu qatt ma saret. Meta s-Sindku u s-Segretarju Eżekuttiv preżenti talbu sabiex dawn il-flus jingħataw lura, is-Sinjura Formosa, permezz tal-Avukat tagħha dejjem sostniet li peress li għaddew sentejn minn meta seħħ il-każ, il-każ huwa issa preskritt.

Waqt l-investigazzjoni tiegħu, il-Bord ta' Gvernanza Lokali ra l-ittra tas-Segretarju Eżekuttiv u tas-Sindku indirizzata lill-Ministru u talab rapport rigward l-allegazzjonijiet li s-Sinjura Antonella Galea (Segretarju Eżekuttiv tal-Kunsill Lokali) u kif ukoll lis-Sinjura Isabel Formosa li dwarha tqajjem il-każ.

Il-Bord sema' x-xhieda tas-Sur Paul Farrugia, Sindku tal-Kunsill Lokali, u tas-Sinjura Antonella Galea (Segretarju Eżekuttiv attwali tal-Kunsill) tas-Sur Paul Pace li kien Segretarju Eżekuttiv tal-Kunsill meta seħħ il-każ, kif ukoll talab darbtejn lis-Sinjura Isabel Formosa biex titla' tagħti x-xhieda tagħha, iżda fiż-żewġ każijiet, is-Sinjura Formosa irrifjutat li tagħmel dan.

Fit-18 ta' Jannar 2016, permezz ta' email mibgħuta lill-Avukat Edward Gatt li kien qed jirrappreżenta lis-Sinjura Formosa, is-Sinjura Formosa kienet infurmata li f'każ li kienet ser tagħzel li ma tidhirx u tagħti x-xhieda tagħha quddiem il-Bord hekk kif mitluba, kif ukoll li ma tippreżentax id-dokumenti u l-*statement* tagħha rigward il-każ, il-Bord kien ser ikun kostrett jasal għad-deċiżjoni ta' dan il-każ fuq il-provi akkwiziżi.

Is-Sinjura Formosa, minkejja t-twissija tal-Bord, fil-laqqgħa li nżammet l-Erbgħa 20 ta' Jannar 2016 u li għaliha kienet mitluba sabiex tkun preżenti, għal darb'oħra reggħet għażlet li ma tattendix.

Matul ix-xhieda ġuramentata tas-Sindku u tas-Segretarju Eżekuttiv, il-Bord ta' Gvernanza Lokali ngħata spjegazzjoni ta' x'wassal biex jitressaq dan il-każ. Is-Sinjura Galea spjegat li kienet hija li f'dak iż-żmien ħadmet il-paga tas-Sinjura Formosa b'mod żbaljat peress li ħallset lis-Sinjura Galea f'notch oġġla u li finalment wassal sabiex ingħatat Euro 1,180.84 fi flus żejda. Is-Segretarju Eżekuttiv spjegat kif dak iż-żmien is-Sur Paul Pace kien Aġent Segretarju Eżekuttiv fil-Kunsill Lokali ta' Ħal Tarxien u kien iddelega lilha li dak iż-żmien kienet impjegata fl-istess Kunsill fil-grad ta' Assistent Prinċipal.

Meta s-Sur Pace kien mistoqsi jekk kienx hemm xi ftehim bil-miktub dwar kif dawn il-flus kellhom jingħataw lura, is-Sur Pace qal li ma kien hemm l-ebda ftehim bil-miktub u li kien sar *gentleman's agreement* bil-fomm u ammetta li f'dan il-każ naqas u li hu kien ġentili żżejjed.

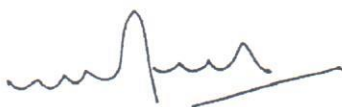
Matul ix-xhieda ġuramentata tas-Sur Paul Pace li kien is-Segretarju Eżekuttiv meta seħħ il-każ, huwa kkonferma li kienet is-Sinjura Antonella Galea li kienet hadet żball ġenwin u li hadmet il-paga tas-Sinjura Formosa b'mod żbaljat. Hawn is-Sur Pace qal li wara li dawn indunaw b'dan l-iżball, huwa, is-Sinjura Galea, l-ex Sindku, kif ukoll is-Sinjura Formosa kienu ddiskutew kif kellu jiġi rimedjat dan l-iżball u kienu waslu għal arrangament li ma kien hemm l-ebda dubju li dawn il-flus kienu jridu jingħataw kollha lura iżda minhabba li s-Sinjura Formosa kienet għaddejja minn żminijiet diffiċli, din kienet ser tingħata ż-żmien li kellha bżonn sabiex trodd dawn il-flus lura.

DEĊIŻJONI

Wara li l-Bord ta' Gvernanza Lokali, eżamina l-fatti, ra l-Kodiċi ta' Etika għar-rappreżentanti eletti tal-Gvern Lokali u ħa konjizzjoni tal-fatti kollha konċernati, jiddeċiedi li finalment, għalkemm l-iżball fil-pagi kien sar minn impjegata u mhux mis-Segretarju Eżekuttiv, finalment huwa s-Segretarju Eżekuttiv li kellu d-dover jara li żball simili ma jseħx. Kien ukoll fid-dmir tas-Segretarju Eżekuttiv li galadarba kien seħħ dan l-iżball, jara kif jirrangħah sabiex jiġbor il-flus dovuti lill-Kunsill Lokali lura u kellu jagħmel dan bi ftehim ċar u bil-miktub.

Rigward il-flus li tħallsu żejda, mix-xhieda ġuramentata tas-Segretarju Eżekuttiv ħareġ li kien hemm ftehim verbali mal-partijiet kollha involuti li dawn il-flus li tħallsu żejda kellhom jingħataw kollha lura u allura hawn il-Kunsill Lokali għandu l-obbligu li jieħu l-passi meħtieġa sabiex dawn il-flus, li ma huma ta' hadd ħlief tal-poplu, jingħabru kollha lura.

Kopja ta' din id-deċiżjoni, apparti lill-partijiet involuti, qiegħda tintbagħat lid-Direttur tal-Gvern Lokali, lill-Ministru tal-Gustizzja, Kultura u Gvern Lokali l-Onor. Owen Bonnici, lis-Segretarju Parlamentari fil-Ministeru għall-Ġustizzja, Kultura u Gvern Lokali l-Onor Stefan Bountempo, lill-kelliem tal-Oppożizzjoni għall-Kunsilli Lokali l-Onor. David Agius, u lill-Konsulent fil-Ministeru għall-Ġustizzja, Kultura u Gvern Lokali s-Sur Michael Cohen.



Av Noel Bartolo
Chairman



Jonathan Mizzi
Segretarju



Dr Arthur Ellul
Membru



Is-Sur Ronnie Pellegrini
Membru